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City of Douglasville v. Boyd

Court of Appeals of Georgia - June 2, 2020 - S.E.2d - 2020 WL 2846963

Applicant filed petition for writ of certiorari asserting that city council's decision to deny his development plan application for portable rock crushing plant on property zoned heavy industrial was arbitrary, capricious, an abuse of discretion, and not supported by any evidence.

The Superior Court entered order summarily concluding that city council acted arbitrarily and capriciously. City applied for discretionary appeal, which the Court of Appeals granted.

The Court of Appeals held that applicant's proposed use of access road located on light industrial property to transport raw materials to portable rock crushing plant located on property zoned heavy industrial did not comply with city zoning ordinance prohibiting accessory uses except in relation to existing principal use on the lot.